

BS030418

U.S. Application No. 10/733,192 Art Unit 2681  
Response to August 22, 2005 Office Action

### **REMARKS**

In response to the Office Action dated August 22, 2005, the Assignee respectfully requests reconsideration based on the enclosed claim amendments and the following remarks. The Assignee respectfully submits that the pending claims distinguish over the cited document.

The United States Patent and Trademark Office (the "Office") objected to the originally-submitted oaths. The Office also rejected claims 1-16 under 35 U.S.C. § 102 (e) as being anticipated by Published U.S. Patent 2004/0198461 to Coombes. The Assignee shows, however, that the pending claims recite features that distinguish over *Coombes*.

### **Objection to Oaths**

Examiner Ekong objected to the originally-submitted oaths. The August 22, 2005 office actions says the oaths failed to include a mailing address for each inventor. The oaths, however, clearly state the mailing address for each inventor and their citizenship. The Assignee, then, will assume this objection to be an error. If Examiner Ekong truly has an objection to the oaths, Examiner Ekong is requested to provide a fuller explanation.

### **Rejection of Claims Under 35 U.S.C. § 102**

Claims 1-16 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Published U.S. Patent 2004/0198461 to Coombes. A claim is anticipated only if each and every element is found in a single prior art reference. *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d (BNA) 1051, 1053 (Fed. Cir. 1987). *See also* DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2131 (orig. 8<sup>th</sup> Edition) (hereinafter "M.P.E.P."). The Assignee shows that the pending claims patentably distinguish over *Coombes*.

#### **1. Claims 1-12 are not Anticipated**

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Claims 1-12 are not anticipated. Independent claims 1 and 8 recite features not taught or suggested by *Coombes*. Independent claim 1, for example, recites “*the base station including a transmitter transmitting only network-associated information to the accessory device*” (emphasis added). Independent claim 1 also recites “*the accessory device including a wireless receiver and a display, the receiver wirelessly receiving only the network-associated information and the display continuously presenting only the network-associated information during the telephone call”* (emphasis added). Amended claim 1 is reproduced below.

[c01] (Currently Amended) A system for alerting a subscriber of network-associated information upon receipt of a telephone call, the system comprising:

a base station wirelessly transmitting to an accessory device;

the base station receiving the telephone call via from a communications network, the base station including a transmitter transmitting only network-associated information to the accessory device, the network-associated information representing signaling within the communications network, the network-associated information outside a voice portion of the telephone call; and

the accessory device including a wireless receiver and a display, the receiver wirelessly receiving only the network-associated information and the display continuously presenting only the network-associated information during the telephone call,

wherein when the telephone call is received, the accessory device presents the network-associated information to the subscriber, thus informing the subscriber of the network-associated information associated with the telephone call.

Independent claim 8 is also not anticipated. Independent claim 8 recites “*wirelessly transmitting only the calling line identification information from a transmitter to an accessory device.*” A “clean” version of independent claim 8 is reproduced below.

[c08] (Currently Amended) A method for alerting a subscriber of calling line identification information associated with a telephone call, the method comprising:

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receiving a telephone call at a base station, the telephone call comprising the calling line identification information;  
wirelessly transmitting only the calling line identification information from a transmitter to an accessory device; and  
presenting the calling line identification information to the subscriber,

wherein the subscriber is alerted to the calling line identification information associated with the telephone call.

*Coombes* is completely silent to such features. No where does *Coombes* describe “the base station including a transmitter transmitting only network-associated information to the accessory device” (emphasis added). Likewise, no where does *Coombes* describe “wirelessly transmitting only the calling line identification information from a transmitter to an accessory device,” as claim 8 recites (emphasis added). Examiner Ekong is correct — *Coombes* describes a mobile communications device that wirelessly receives radio signals from a base station. See Published U.S. Patent 2004/0198461 to *Coombes* at [0010]. *Coombes*, however, wirelessly transmits both voice signals and calling party identifiers. No where does *Coombes* make any mention of the base station “transmitting only network-associated information,” as independent claim 1 recites (and as independent claims 8 and 13 similarly recite). As *Coombes* explains, the “transceiver operates to establish a radio frequency link 114 to a base station 116 to send and receive information according to an air interface.” *Id.* at [0010], lines 4-6. “Furthermore, in the preferred embodiment, the transceiver comprises digital signal processing means for performing digital communications, and for encoding and decoding voice signals.” *Id.* at [0010], lines 7-10 (emphasis added). *Coombes*, then, describes a conventional base station that transmits both voice signals and calling party identifiers. *Coombes*, then, cannot anticipate the pending claims. Examiner Ekong is thus respectfully requested to remove the rejection of claims 1-12.

## 2. Claims 17 & 18 are not Anticipated

Examiner Ekong is also directed to new claims 17 and 18. Claim 17 recites “discarding a voice portion of the telephone call, such that only the calling line identification information is

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wirelessly transmitted from the transmitter.” Claim 18 recites “*filtering a voice portion from the telephone call, such that only the calling line identification information is wirelessly transmitted from the transmitter.*” No where does *Coombes* describe such features. Because *Coombes* is completely silent to such features, *Coombes* additionally cannot anticipate new claims 17 and 18.

### 3. Claims 13-16 are not Anticipated

Independent claim 13 is likewise not anticipated. Claim 13 recites “*a receiver wirelessly receiving only the calling line identification information from a base station*” (emphasis added). A “clean” version of amended claim 13 is reproduced below.

[c13] (Currently Amended) A device for alerting a subscriber of calling line identification information associated with a telephone call, the device comprising:

a receiver wirelessly receiving only the calling line identification information from a base station; and  
a display presenting the calling line identification information,

wherein when the calling line identification information is received, the device presents the calling line identification information to the subscriber, thus informing the subscriber of the calling line identification information associated with the telephone call.

*Coombes* fails to describe such features. As this response explains above, *Coombes* describes a mobile communications device that encodes and decodes voice signals. See *id.* at [0010], lines 7-10. *Coombes* also describes how the mobile communications device uses calling party identifiers to provide personalized “pre-recorded greeting messages.” See, e.g., *id.* at [0014]. *Coombes*, then, is silent to “*a receiver wirelessly receiving only the calling line identification information from a base station.*” *Coombes*, then, cannot anticipate the pending claims. Examiner Ekong is thus respectfully requested to remove the rejection of claims 13-16.

### 4. Dependent Claims 5, 6 & 16 are not Anticipated

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*Coombes* is also completely silent to claims 5, 6, and 16. All these claims "continuously present" calling line identification information throughout a telephone call. *Coombes* is completely silent to such features. *Coombes*, then, cannot anticipate the pending claims, so Examiner Ekong is respectfully requested to remove the rejection of claims 5, 6, and 16.

**New Claims 17 & 18**

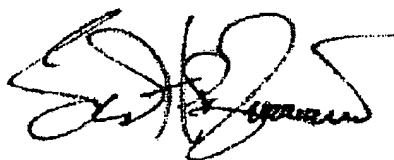
This response presents new claims 17 and 18. These new claims depend from independent claim 8 and, thus, incorporate the same distinguishing features. Moreover, these claims recite additional features not disclosed by *Coombes*. Because *Coombes* is completely silent to such features, *Coombes* cannot anticipate these claims.

No excess claim fees are due. Because the application was originally filed with only sixteen (16) claims, new claims 17 and 18 do not require a fee.

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If any questions arise, the Office is requested to contact the undersigned at (919) 387-6907 or [scott@wzpatents.com](mailto:scott@wzpatents.com).

Respectfully submitted,



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